



W.P.(MD).No.5066 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.5066 of 2024

K.Lavanya

... Petitioner

Vs

1. The General Manager,
Dindigul Region,
Tamil Nadu State Transport Corporation Madurai Limited,
Dindigul District.
2. The Managing Director,
Tamil Nadu State Transport Corporation Madurai Limited,
Byepass Road, Madurai.
3. The Secretary,
Tamil Nadu State Transport Corporation Limited,
Transport Department, Secretariat,
St. George Fort, Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 31.07.2001 and appoint the petitioner in the respondents Department in any one of the post according to her educational qualification under the Compassionate ground.



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For Petitioner : Mr. K.Dhinesh Kumar

For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation, dated 31.07.2001 and appoint the petitioner in the respondents Department in any one of the post according to her educational qualification under the Compassionate ground.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents. Perused the materials on record.

4.The petitioner's father was a Conductor in TNSSTC. While in service, her father passed away on 14.06.2001. He was survived by the petitioner, her sister and mother. The petitioner gave a representation on



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31.07.2001 to the first respondent seeking appointment on compassionate grounds. Thereafter, the petitioner was called to appear before the first respondent for Certificate verification on 02.01.2017. On that date, the petitioner duly appeared before the first respondent and produced all the original certificates. Even then, there was no response from the first respondent. On 24.11.2023, the petitioner made another representation to the respondents seeking appointment on compassionate grounds and the same was not considered. Hence, this writ petition came to be filed.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct the respondents to consider the same within a stipulated time.



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6.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the first respondent to consider the representation of the petitioner, dated 24.11.2023 and pass appropriate orders in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

05.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

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Tamil Nadu State Transport Corporation Madurai Limited,
Dindigul District.
2. The Managing Director,
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L.VICTORIA GOWRI, J.

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ORDER IN
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